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Violence against women**

Report of the Secretary-General

Summary

The present report responds to General Assembly resolutions 57/179 and 57/181 of 18 December 2002 and 58/185 of 22 December 2003. It provides information about legislative, policy and other measures undertaken by Member States, and by bodies and entities of the United Nations, to combat all forms of violence against women, as well as crimes against women committed in the name of honour. The report also provides an update on the preparation of the in-depth study of the Secretary-General on all forms of violence against women.

* A/59/150.
** The present report was submitted late owing to the need to complete consultations.

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Contents

		Paragraphs	*Page*
I.	**Introduction**	1–4	3
II.	**Elimination of all forms of violence against women**	5–34	3
	A. **Legal measures**	6–20	3
	B. **Policy measures**	21–24	6
	C. **Support, capacity-building and research**	25–34	8
III.	**Working towards the elimination of crimes against women committed in the name of honour**	35–45	11
	A. **Legislation and related measures**	36–39	11
	B. **Policy, programmes and other measures**	40–45	12
IV.	**Measures taken in relation to General Assembly resolutions 57/179 and 57/181 within the United Nations system**	46–59	13
	A. **General Assembly**	47	13
	B. **Commission on the Status of Women**	48	14
	C. **Commission on Human Rights**	49–51	14
	D. **Human rights treaty bodies**	52–54	15
	E. **Activities of the organizations of the United Nations system**	55–59	16
V.	**In-depth study of the Secretary-General on all forms of violence against women**	60–63	17
VI.	**Conclusions and recommendations**	64–65	18

I. Introduction

1. In its resolution 57/181 of 18 December 2002 on the elimination of all forms of violence against women, including crimes identified in the outcome document of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century", the General Assembly requested the Secretary-General to submit to it at its fifty-ninth session a comprehensive report on the matters raised therein. In its resolution 57/179 of 18 December 2002 on working towards the elimination of crimes against women committed in the name of honour, the Assembly requested the Secretary-General to include in his report on the issue of elimination of violence against women, a substantive report on the subject, based on all available data, containing an analysis of the root causes of those crimes, supportive statistical data, where available, and information on initiatives taken by States.

2. The present report, submitted in response to those requests, is based, inter alia, on information contained in the replies received from Member States and organizations of the United Nations system pursuant to a request of the Secretary-General for information. Section II reflects information received in relation to General Assembly resolution 57/181, while section III reflects information received in relation to Assembly resolution 57/179. Section IV reflects information on related activities within the United Nations system.

3. In its resolution 58/185 of 22 December 2003, the General Assembly requested the Secretary-General to conduct an in-depth study on all forms and manifestations of violence against women and, on the basis thereof, to submit a report, with the study as an annex, to the Assembly at its sixtieth session. It also requested the Secretary-General to submit a progress report on the study to the Assembly at its fifty-ninth session. Section V of the present report contains the requested update.

4. The report is complemented by the report of the Secretary-General on the trafficking in women and girls, submitted in accordance with General Assembly resolution 57/176 of 18 December 2002.

II. Elimination of all forms of violence against women

5. As of May 14 2004, only 26 Member States[1] had responded to the Secretary-General's request for information on the implementation of General Assembly resolution 57/181. Responses indicated that activities undertaken since the adoption of the resolution had included legislation, and policy measures, as well as capacity-building, awareness-raising and support measures.

A. Legal measures

6. Several States, including Colombia, Costa Rica, Kuwait, Morocco, Paraguay, the Russian Federation and the Syrian Arab Republic, noted their adherence to international or regional human rights instruments, including those that specifically addressed the rights of women.

7. In Austria, the Federal Act on the Protection against Violence in the Family of 1997 authorizes police officers to expel a (potential) perpetrator from the family

home and issue barring orders. Family courts may issue interim injunctions upon application to protect persons at risk, and physicians must report to the police, cases where there is reasonable suspicion that an act punishable by law led to death or serious bodily injury. As of May 2004, new legislation became effective in regard to violation of sexual integrity, including more severe sentences for rape, sexual coercion, sexual abuse of minors and pornography concerning minors, and legal differences in the crime of rape or sexual coercion in marriage or cohabitation were eliminated. Provisions were added to the Criminal Code making punishable the encouragement of prostitution and pornographic acts of minors, as well as sexual harassment and public sexual acts. Legal provisions are in place to prevent post-traumatic symptoms and to protect victims of domestic or sexual violence during criminal proceedings. Amendments to the Equal Treatment Bill and the Federal Equal Treatment Act are before Parliament. They would provide for higher damages for sexual harassment and make the incitement to sexual harassment an offence.

8. Azerbaijan reported that all types of violence against women were dealt with in accordance with the general criminal law. The process of drafting a national law on combating violence against women was expected to be launched in 2004. Bangladesh had enacted the Acid Control Act in 2002, the Prevention of Violence against Women and Children (Amendment) Act in 2003 and the Speedy Trial Tribunal Act of 2002. Special tribunals established throughout the country deal with cases related to violence against women.

9. In China, the Criminal Law, the General Principles of the Civil Law, the Marriage Law, the Law on the Protection of the Rights and Interests of Women, and the Administration Sanctions for Public Order contain specific provisions regarding violence against women. The Criminal Procedure Law and Criminal Code were revised in 1996 and 1997, thereby placing special emphasis on the protection of the rights of women. While a special national anti-domestic violence law has yet to be formulated, the Marriage Law of 2001 prohibits domestic violence. According to article 43, victims of domestic violence have the right to request assistance, and public security organs have the duty to stop such violence. Furthermore, more than 30 provinces and cities have adopted local laws and regulations against domestic violence.

10. In Colombia, the Penal Code contains provisions on violence against women, particularly in relation to prostitution, trafficking, commercial sexual exploitation of minors, pornographic acts of minors and sexual tourism. A draft law on domestic violence entitled "Black Eye", which was before the Senate, provided for prison sentences for from one to three years for persons that had mistreated another family member physically, psychologically or sexually. More severe penalties would apply in cases where the victim was a woman and/or a child. Costa Rica's legislative framework includes the Law against Domestic Violence of 1996 containing protection measures for victims, and the Law against Sexual Exploitation of Minors of 1999.

11. In Denmark, violence against women is covered by the general provisions of the Criminal Code. In June 2002, the maximum penalties for, inter alia, violence against persons and rape had been increased. In an effort to further combat violence against women, a bill was presented to Parliament in March 2004 providing for temporary expulsion from his/her home of a person who had committed or threatened to commit an act of violence against another person of the household. In

2002 and 2003, changes had been introduced in the Aliens Act and the Marriage Act to combat forced marriages.

12. Ireland had enacted legislation to provide that all forms of violence against women and girls would be criminal offences punishable by law, in particular in relation to domestic violence, rape, sexual assault, pornography and prostitution. Italy's Law No. 66 of 1996 qualifies violence against women as a crime against personal liberty. Law No. 154 of 2001 allows for the removal of the violent family member from the household by means of a civil or criminal court decision. Laws Nos. 134 and 60 of 2001 grant free legal advice to indigent victims of rape and abuse.

13. In the Republic of Korea, the Special Act on the Punishment of Domestic Violence and the Act on the Prevention of Domestic Violence and Victim Protection are in effect. The 1994 Act on Punishment of Sexual Crimes and Protection of Victims was again amended in 2003 to enhance protective measures for victims of sexual violence and related crimes. Video testimonies are now allowed as legal evidence for victims of sexual violence who are under age 13, and for victims with disabilities.

14. Malta reported that the Criminal Code treated violence against any person, including women and girls, as a criminal offence, and all reference to violence in the legislation included violence against women. For example, rape or carnal knowledge with violence was dealt with under article 198 and title VIII of the Criminal Code, and carried a higher punishment when committed within the domestic sphere. New legislation was being drafted specifically on domestic violence.

15. Malaysia is implementing the Domestic Violence Act, which considers domestic violence a criminal offence and includes appropriate penalties, and also allows victims to apply for an interim protection order to prevent further acts of violence. The Women and Girls Protection Act 1973 and the Child Protection Act 1991 had been streamlined into the Child Act 2000. The Penal Code had been amended to increase the punishment for offences relating to rape, prostitution and incest.

16. Morocco reported on the revision, in 2002, of its Penal Code and Code of Criminal Procedure, introducing provisions to better protect women. In particular, the definition of violence had been revised to include sexual harassment and to codify the principle of equality in the application of mitigating circumstances in cases of adultery in flagrante delicto. A medical certificate issued by a competent authority now suffices as evidence in cases of domestic or marital violence. The new Family Code aims to ensure equality between women and men within the family, including protecting a woman from abuse by her husband when exercising her right to divorce.

17. Mexico reported that 14 out of the 32 States had civil codes where domestic violence was a valid cause for divorce, and fewer than half of those codes considered violence against children a valid cause for divorce. Laws to prevent domestic violence existed in 25 of the 31 federal entities. Norway reported that domestic violence constituted no specific offence, and violent attacks in the private sphere, including assault, bodily harm and rape, were dealt under the general provisions of the Penal Code. Free legal aid was available to abused women as well as women victims of domestic violence from spouses and cohabitants. Since 1988,

cases of domestic violence may be brought before the court even if the woman withdraws the formal report. The Criminal Procedure Act, which was amended in 1995 and again in 2002, provides that a person may be banned from staying in his own home, or from visiting, if there is an imminent risk that he may commit a criminal act against another person.

18. Article 60 of Paraguay's Constitution establishes the regulatory framework for domestic violence, and Law 1600 of 2000 deals with domestic violence. Portugal plans to revise legislation to facilitate the prosecution of aggressors as well as the access to legal counselling. While discussions had taken place in the Russian Federation to formulate a special act against domestic violence, the approach chosen instead was to improve existing legislation such as the Federal Act "on the principles of social services for the population in the Russian Federation", the Criminal Code, the Code of Criminal Procedure, the Code on Administrative Offences and the Militia Act. The Criminal Code contains a special chapter on criminal liability for crimes against the sexual inviolability and sexual freedom of the individual, and punishments for such acts, including rape.

19. Syrian legislation affords protection to women against all acts of violence and injustice and deals harshly with perpetrators of such acts. Ukraine adopted, in 2001, a new Criminal Code which includes penalties for crimes against the sexual freedom and sexual inviolability of the individual, including rape, forced and perverted satisfaction of sexual passion, sexual coercion, sexual relations with a person who had not reached sexual maturity, and corruption of minors. In 2001, the Act "on the prevention of domestic violence" had been adopted establishing legal and organizational foundations for the prevention of domestic violence, and containing a definition of domestic violence as well as providing for perpetrators' criminal, administrative or civil liability.

20. The Austrian Criminal Code defines female genital mutilation as an offence of bodily injury with severe after-effects to which consent of the injured is not possible. The Code stipulates that regardless of the consent of a victim, the person performing the operation remains liable to punishment. In addition to the perpetrator, each person inciting another person to carry out the act or contributing in any way to its execution is also punishable. Denmark amended its criminal code in May 2003 to include a separate provision — section 245 (a) — on female genital mutilation. The Code now expressly states that consent to female genital mutilation, either by the girl or by the parents, can under no circumstances lead to exemption from punishment of perpetrators. The requirement of so-called dual criminality in relation to this practice was abolished, making it possible to punish Danish nationals as well as persons resident in Denmark who had performed or who had assisted in performing female genital mutilation abroad, even when this act was not a crime in the country where it was performed. Section 245 (a) provides for a maximum penalty of six years imprisonment. Portugal was planning to introduce the explicit criminalization of female genital mutilation and to improve health care for women and children victims of this practice.

B. Policy measures

21. Several Member States reported on the implementation or elaboration of new national action plans to combat violence against women. Bangladesh had formulated

national action plans in relation to the critical areas of concern in the Beijing Platform of Action.[2] In Colombia, the strategic plan executed by the Presidential Advisory Office on Women's Equity also contains a focus on violence against women. In Costa Rica, public entities and non-governmental organizations had implemented the national plan on domestic violence. Denmark had launched its national plan to combat violence against women in 2002, with a focus on victim support, violence prevention, and research and awareness-raising. In August 2003, it issued an action plan on forced, quasi-forced and arranged marriages, 2003-2005. Finland was preparing a new national plan of action for preventing domestic violence against women, for implementation from 2004 to 2007. All activities contained in Germany's national action plan to combat violence against women, adopted in 1999, had been initiated and most had been completed. The plan covered prevention, legislation, cooperation and networking between government institutions and non-governmental organizations, awareness-raising and international cooperation.

22. The Jordanian National Commission for Women coordinated a programme of national action which had been launched in 2003. The Mexican national plan on the eradication of domestic violence, in place since 2002, includes prevention, treatment, information and assessment measures. Morocco continued to operationalize its national strategy against violence against women of 2003. Norway's plan of action against domestic violence, 2000-2003, included establishment of an interdepartmental group responsible for its implementation. A new plan of action for 2004-2006 was scheduled to be launched in May 2004. Paraguay's national plan on prevention and punishment of violence against women is implemented by an inter-institutional commission and a national network focused on domestic violence. Portugal's second national plan against domestic violence was approved in 2003, for implementation until 2006, and includes aspects of prevention, training, legislative reform, victim support, and research. The Syrian Arab Republic is implementing the national strategy for women to the year 2005. In the Russian Federation, the national plan on the improvement of women's status 2001-2005 includes measures to prevent domestic violence. In Ukraine, the national plan 2001-2005 focuses on implementation of the outcomes of the twenty-third special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century".[3]

23. Costa Rica, Iceland and Ireland had strengthened national mechanisms to effectively implement national action plans on violence against women. In Costa Rica, 23 new offices that formed part of the Women's Municipal Network had been established. These offices aim at promoting women's human rights at the municipal level, disseminating information about government programmes on domestic violence, and expanding the access to services and assistance to victims of domestic violence. In 2003, the Minister of Social Affairs of Iceland had appointed a committee tasked with coordinating measures to combat violence against women. In Ireland, regional committees and advisory entities had been established under the National Steering Committee on Violence against Women. Colombia, Jordan, Malaysia, Mexico, Paraguay, Portugal and the Russian Federation reported on cooperation, and the creation of networks, between government agencies, local-level institutions, academia and non-governmental organizations, to address violence against women, and to implement national action plans and awareness-raising campaigns. Saudi Arabia indicated that while there had been no recorded cases of

violence against women, a social protection administration and a national family commission would be established to combat all forms of violence against children and women.

24. Mexico reported on the results of parliamentary debates concerning the killings of women in Ciudad Juárez that had led to the establishment of the Commission to Prevent and Eliminate Violence against Women in Ciudad Juárez, the Agency for Attention to the Murders of Women of Ciudad Juárez (Agencia mixta para atención de homicidios de mujeres de Ciudad Juárez), special commissions aimed at following up on the cases in Ciudad Juárez in both chambers of Congress, and the appointment of a Commissioner with the responsibility for coordinating the various federal actions and plans. Mexico had also allocated funds to further investigate the cases.

C. Support, capacity-building and research

25. Member States had carried out campaigns to raise public awareness about domestic violence and discriminatory practices against women. In China, the fourth legal awareness-raising campaign was under way. News media had increased their coverage of violence against women, in some cases providing live broadcasts of trial proceedings, inter alia, on domestic violence. A television serial drama about domestic violence in 2002 had drawn attention to the issue. In Denmark, a nationwide campaign entitled "Stop violence against women: break the silence", in Danish and four foreign languages, had been the largest of its kind ever. Ireland had conducted campaigns on the availability of help for victims, on violence against women as a crime, and on changing societal attitudes with regard to violence against women. Malaysia had launched a "Women against violence" campaign in 2001 and had embarked on a "Stop rape: respect and restrain" campaign in 2004. Mexico had launched a number of campaigns aimed at eliminating stereotypes and forms of discrimination against women, inter alia, in local languages.

26. Several countries, including Denmark, Ireland, Portugal and the Russian Federation, reported on anti-violence efforts implemented through the educational system. States, including China, Costa Rica, Italy, Malaysia, Mexico, Morocco, Norway and the Russian Federation, had continued to organize seminars and conferences where academics, policy makers and non-governmental organizations sought ways to prevent and eradicate various forms of violence against women. For example, Italy had organized an international conference in 2000 on the health consequences of violence against women and on health-care and prevention strategies.

27. Member States also continued to produce brochures, leaflets and other publications to raise awareness about violence against women and to provide information on the availability of resources for victims of violence. For example, Denmark had prepared and distributed leaflets in Danish and five foreign languages on the rights of, and services for, battered women. Guidelines for dealing with domestic violence, which now formed part of comprehensive tool kits for professionals, had also been produced. Finland had published a brochure in 2003 to support crime victims through provision of information about the different stages of the legal process in criminal matters, legal aid, compensation and support services. Ireland had produced several information leaflets and, in 2000, published a national

directory of services for women who had been victims of, or threatened by, violence. Mexico had published educational materials entitled "Against violence: education for peace" for the second time in 2001.

28. Austria provided training to all occupational groups who were in contact with victims of violence to assure the high quality of counselling services. Azerbaijan trained teaching staff at the National Police Academy on violence against women. In China, a manual on violence against women had been created to train public security officers and law enforcement officials. Finland had implemented training activities for the authorities on the recognition and prevention of violence against immigrant women. In Iceland, the general training of police officers at the Police Training College included the handling of domestic and sexual violence cases. Italy organized courses at the police academy on violence against women and minors. In Mexico, a manual on violence against women had been published for trainers from the health sector. Morocco provided training courses on human rights to judges, health officials and law enforcement officials. Ukraine offered training courses for the general public on non-violent methods for resolving problems in the household. Malaysia, Portugal and the Russian Federation reported on training activities for personnel providing services to victims of violence.

29. Many Member States, including Austria, China, Costa Rica, Denmark, Finland, Iceland, Ireland, Jordan, Malaysia, Malta, Mexico, Morocco, Norway, Paraguay and Portugal, had strengthened and expanded the availability of shelters and specialized centres for victims of violence, as well as legal, medical and psychological assistance and counselling, and of support networks. In some instances, Governments also reported on their financial support to non-governmental organizations for the provision of support services. For example, in China assistance for women victims of violence had been enhanced through reduction or waiving of legal fees for poor women. Since 1996, 2,389 governmental legal assistance bodies at the central governmental, provincial, county and municipal levels throughout the country had been established. In Iceland, the emergency reception facility for victims of sexual assault at the National University Hospital was also used to treat victims of domestic violence. A women's refuge also offered counselling to victims of domestic violence. In Denmark, a nationwide network for battered women had been established in 2003 as a means of providing support and advice to women who chose not to contact a shelter. In 2004, Jordan had authorized the establishment of a system of family shelters; and a non-governmental women's organization had founded the first shelter for women victims of violence, and governmental and non-governmental institutions promoted counselling and support programmes. Malta had set up a victims support unit within the police force, and offered support services, including a shelter, for women victims of violence. In Malaysia, one-stop crisis centres had been set up in many hospitals to provide treatment for victims of violence, and shelters, counselling and support services were also available for battered and abandoned wives. In Portugal, women's shelters were run mostly by women's non-governmental organizations with government support. Austria, Denmark, Mexico, Morocco, Portugal and the Russian Federation reported that hotlines continued to provide counselling, and legal and psychological assistance to victims of violence, sometimes also in foreign languages.

30. Several Member States, including Austria, Denmark, Ireland, Malta and Norway, had also focused attention on the perpetrators of violence as a means to

protect victims and prevent further acts of violence. Austria and Ireland were conducting evaluations and studies of completed programmes in order to identify best practices, implement necessary improvements and establish standards for future programmes. Ireland reported that 29 full-time professionals and two consultants had been involved in rehabilitation programmes for sex offenders in Irish prisons. An evaluation of all programmes for perpetrators of domestic violence funded by the State was under way and the results were expected for 2004. Norway had completed a survey on the effectiveness of treatment methods for men in 2002.

31. Since 2003, Denmark had offered assault alarms to women victims of violence at specific risk of repeated violent assaults. The evaluation of this initiative will be available in 2004. Norway had supplied such security alarms to women since 1997, and the alarm project became permanent in 1999, following a survey showing its unqualified success. Since 2002, new mobile alarms based on Global Positioning Systems had been tested, and these alarms had become available to all who needed them, as of January 2004.

32. In Italy, a research project entitled "Anti-violence network of urban towns in Italy" had been launched in 1998 to analyse violence in particularly degraded areas. In Ireland, the National Crime Council was conducting a national study on domestic violence, scheduled for completion in 2004. The national strategy of Morocco included the development of scientific studies on sex-specific violence. In Mexico, a national survey of 24,000 women users of support services had been conducted in 2003 to identify causes and consequences of domestic violence. In Portugal, two studies, on women victims of gender violence and the social costs of domestic violence, were under way.

33. Several Member States reported on efforts to combat violence against immigrant women. In Austria, special provisions for female migrants exposed to domestic violence made it possible for lawfully established foreigners to obtain a work permit, under certain conditions, if the victim could not be expected to continue living with her spouse as the result of an assault, threat of assault, or the conduct of the spouse. In Denmark, a major survey had been initiated of the experiences of shelters in supporting and advising women from ethnic minorities. The results will be used to train shelter staff in better supporting this group of women. In Finland, a report on violence against immigrant women had been published in 2003. Portugal had developed specific guidelines to combat violence within migrant communities.

34. Some Member States addressed the question of data collection on violence against women. Denmark, as part of a major "International violence against women survey", had collected data from a sample of 3,600 Danish women. Statistics on victims were incorporated for the first time in the crime statistics for 2001. Italy reported that data on violence and harassment had been gathered from hotlines at anti-violence centres and women's shelter homes. The results of a survey of victims and perpetrators to estimate the dimension of sexual violence against women within the domestic and work spheres would be analysed in 2005. In Mexico, a national household survey in 2003 had indicated that 46.6 per cent of interviewed women had suffered from some form of violence. Norway reported that no statistics relating directly to domestic violence were available. However, according to a national survey conducted in 1997 by the Central Bureau of Statistics, 6 per cent of adult women had experienced violence from a family member, and 1 per cent had

experienced such violence during the previous year. Paraguay gave an indication of the types and numbers of complaints of violence against women received by the national machinery for women between 1993 and 2003. In Portugal, data on violence against women had been collected from 2001 court cases. Data on violence against women collected by the Office of Legislation Policy and Ministry of Justice Planning had been used to design the new Second National Plan against Domestic Violence. In the Russian Federation, the Ministry of Internal Affairs would produce statistics on crimes broken down by gender, and the Ministry of Health would provide statistics on sex offences against women based on data from forensic examinations. Statistics would also be collected, as of 2004, on the number of persons using social service agencies, including users who were victims of criminal sexual assault.

III. Working towards the elimination of crimes against women committed in the name of honour

35. As of 14 May 2004, only 23 Member States[4] had responded to the Secretary-General's request for information on the implementation of General Assembly resolution 57/179.

A. Legislation and related measures

36. Several Member States indicated that crimes committed in the name of honour did not exist, or were not known to exist, and that no specific legislation covered this type of crime. In some countries, including Azerbaijan, Colombia, Denmark, Ireland, Malaysia, Malta, Mexico, Morocco, Myanmar, the Netherlands and Portugal, no distinction was made between crimes committed in the name of honour and other crimes of violence against women, and all crimes were dealt with under the relevant provisions of the criminal code. The Syrian Arab Republic noted that Syrian society did not suffer from the so-called crimes of honour addressed in a selective manner in the resolution, which had not shed light on other forms of violence and crimes committed against women.

37. In Argentina, violent emotion had been recognized in recent court decisions as a mitigating circumstance in "crimes of passion" committed by either a man or a woman. In Colombia, crimes committed by a spouse, partner, cohabitant, relative or family member carried a heavier punishment than crimes committed by persons not related to the victim.

38. Jordan placed great importance on confronting violence against women in all its forms, and had taken steps to reduce the incidence of violence against women in general and "crimes of honour" in particular. Provisional law No. 86 of 2001, albeit not yet approved, had revised article 240 of the Penal Code by abolishing the impunity defence and replacing it with the mitigatory defence. Kuwait reported that crimes against women committed in the name of honour were infrequent. Kuwaiti law therefore did not contain the term "crimes of honour". Nevertheless, article 153 of the Penal Code provided for a prison term of not more than three years and a fine of not more than 3,000 rupees, or one of these two penalties, for a man who had killed his wife in the act of committing adultery (in flagrante delicto), or the man, or both. Similar penalties applied for the killing of a daughter, mother or sister

surprised in such a situation. An unlawful act or attack on a woman, whether it involved killing or bodily harm, motivated by the claim of defence of honour constituted a criminal offence and was punishable by law according to its nature.

39. The United Kingdom of Great Britain and Northern Ireland actively worked on combating domestic violence in all its forms, including honour crimes. A domestic violence, crime and victims bill that included measures to enhance the protection of victims of domestic violence was before Parliament.

B. Policy, programmes and other measures

40. In the Netherlands, a policy and measures were being developed to provide greater insight into the nature and scale of crimes committed in the name of honour and honour-related violence in the country, to support the integration and emancipation of women and girls from ethnic minorities, and enhance their awareness of their rights, inter alia, in relation to honour crimes. Sweden, as part of its immigration and integration policy, had developed guidelines to give more adequate attention in the asylum process to women's need for protection, and as part of the implementation of those guidelines, personnel had been trained regarding the concept of honour. Assistance was provided to Swedes in distress abroad, including girls and young women abducted for forced marriages abroad, and their return was facilitated.

41. In Argentina, the Association of Women Judges of Argentina had implemented a programme entitled "Towards a jurisprudence of equality" in the period 1998-1999, aimed at capacity-building of the judiciary with regard to the application of international conventions, in response to judges' discriminatory practices of reducing penalties for perpetrators of "crimes of passion". Finland had implemented training for public officials enabling them to better recognize and prevent violence against immigrant women including the threat of so-called honour killings. The Netherlands supported capacity development for law enforcement professionals and support service providers to address the topic of domestic violence, including honour crimes, with minority groups. In the United Kingdom, the Metropolitan Police Service worked actively on the issue of crimes committed in the name of honour. In May 2003, agencies from voluntary sectors, local authority representatives, academics, legal professionals, women's groups, community groups and faith organizations had attended a seminar for the purpose of sharing information and best practices and developing solutions regarding honour crimes.

42. Myanmar reported on activities aimed at preventing all forms of violence against women, including awareness-raising campaigns, establishment of counselling centres, and training for social workers. Sweden had provided funding for educational, information and awareness-raising materials. Funding had been provided for the conduct of research and surveys to increase knowledge about various aspects of gender equality, especially in relation to immigrant communities. Seminars had been conducted, bringing together representatives of public authorities, religious communities, women's shelters and immigrant organizations and other experts.

43. The Government of the Netherlands supported and provided funding for civil society initiatives, such as the Turkish Community Advisory Association, which had recently published a handbook prepared to help social workers recognize and report

honour-related violence. Sweden had provided funding in past years for sheltered housing and other measures for girls and women at risk of honour-related violence, as well as for capacity-building for social service providers and educators, and for awareness-raising in communities where thinking in terms of honour was common. It had also continued to fund a support network for immigrant women, including operation of an emergency telephone service in some 20 languages. The Government had earmarked 100 million kronor for further action in the period 2004-2006.

44. At the international level, the role of the Netherlands in this field was reflected in its tabling of General Assembly resolution 57/179 in 2002. Sweden had hosted an international expert meeting in November 2003 on crimes committed in the name of honour, and planned to hold an international conference on the topic in December 2004. The meeting would aim to formulate a plan of action against violence in the name of honour for action at the national and international levels.

45. Jordan reported that, according to official surveys, the number of crimes committed in the name of honour had decreased to 17 in 2003 compared with an average of 20-25 cases per year in the past. The Netherlands noted that, while there had been crimes committed in the country in the name of honour, the number of those crimes was not known, and murder statistics did not reflect the motive. Two recent murders, in 2003 and 2004, where honour was presumed to have been a motive, had been highly publicized. In 2003, the Government had supported a research centre, TransAct, in conducting a quick-scan on the occurrence of crimes committed in the name of honour in the Netherlands. Those results had not yet been published. Saudi Arabia had no recorded cases of violence against women or of crimes committed against women and girls in the name of honour.

IV. Measures taken in relation to General Assembly resolutions 57/179 and 57/181 within the United Nations system

46. The General Assembly, the functional commissions of the Economic and Social Council, human rights mechanisms and other entities continued to devote attention to violence against women, including crimes committed in the name of honour.

A. General Assembly

47. During its fifty-seventh and fifty-eighth sessions, the General Assembly had addressed the issue of violence against women in several resolutions (see, for example, resolutions 57/176 of 18 December 2002, 57/179 and 58/137 and 58/147 of 22 December 2003). Violence against women had also been an aspect of many other Assembly resolutions (see, for example, resolutions 57/189, 57/200, 57/218, 57/225, 57/230, 57/231, 57/233 and 57/234 of 18 December 2002; and 58/146, 58/156, 58/164, 58/190, 58/191 and 58/196 of 22 December 2003).

B. Commission on the Status of Women

48. The Commission on the Status of Women dealt with the topic "Women's human rights and the elimination of all forms of violence against women and girls as defined in the Beijing Platform for Action and the outcome documents of the twenty-third special session of the General Assembly" at its forty-seventh session (2003), without adopting agreed conclusions thereon.[5] References to certain forms of violence against women are contained in the agreed conclusions adopted by the Commission at its forty-seventh session on the theme of "Participation in and access of women to the media, and information and communication technologies and their impact on and use as an instrument for the advancement and empowerment of women" (see Economic and Social Council resolution 2003/44 of 22 July 2003). References to violence against women were also contained in the outcome of the Commission's forty-eighth session (2004), inter alia, under its two thematic issues dealing with "The role of men and boys in achieving gender equality" (see Council resolution 2004/11 of 21 July 2004); and "Women's equal participation in conflict prevention, management and conflict resolution and in post-conflict peace-building" (see Council resolution 2004/12 of 21 July 2004), and in resolutions on the situation of women and girls in Afghanistan (see Council resolution 2004/10 of 21 July 2004), and on the release of women and children taken hostage, including those subsequently imprisoned, in armed conflicts.[6]

C. Commission on Human Rights

49. A meeting of women foreign ministers took place on 15 March 2004, on the margins of the session of the Commission on Human Rights, on the subject of violence against women. During the Commission's high-level segment, many foreign ministers and dignitaries condemned ongoing violations of the rights of women around the world and violence against women, including domestic violence, trafficking in persons, harmful traditional and customary practices, and violence against women during armed conflict.

50. At its fifty-ninth (2003) and sixtieth (2004) sessions, the Commission on Human Rights had adopted resolutions on violence against women (resolutions 2003/45 of 23 April 2003 and 2004/46 of 20 April 2004) which also referred to crimes against women committed in the name of honour, and on violence against women migrant workers (resolution 2004/49 of 20 April 2004). Violence against women was also covered as an aspect in other resolutions, including Commission resolutions 2003/15 of 17 April 2003, 2003/16 of 17 April 2003, 2003/51 of 23 April 2003, 2003/54 of 24 April 2003, 2003/78 of 25 April 2003, 2004/13 of 15 April 2004, 2004/45 of 19 April 2004, 2004/48 of 20 April 2004, 2004/55 of 20 April 2004, 2004/79 of 21 April 2004, 2004/80 of 21 April 2004, 2004/82 of 21 April 2004, 2004/83 of 21 April 2004 and 2004/84 of 21 April 2004.[7]

51. Several special rapporteurs of the Commission on Human Rights continued to address the question of violence against women specifically, for example, the Special Rapporteur on violence against women, its causes and consequences, or to include this issue as an important aspect of their particular mandate. The Subcommission on the Promotion and Protection of Human Rights also continued its work in relation to particular aspects of violence against women, inter alia, on

systematic rape, sexual slavery and slavery-like practices, on harmful traditional practices affecting the health of women and the girl child, and on women in prison.

D. Human rights treaty bodies

52. The six (now seven[8]) treaty bodies established under international human rights instruments also continued to address violence against women within the framework of their mandates, and especially in the constructive dialogue with States parties, concluding comments/observations and other aspects of their work.

53. The Committee on the Elimination of Discrimination against Women consistently monitors steps taken by each State party to the Convention on the Elimination of All Forms of Discrimination against Women (General Assembly resolution 34/180, annex) during the constructive dialogue to prevent violence against women, punish perpetrators and provide support for victims, in accordance with the Convention and the Committee's general recommendation 19 on violence against women.[9] This was also the case during the Committee's sessions in 2003 and 2004.[10] The Committee's concluding comments regularly stress the need for comprehensive measures to address violence against women in the family and in society, including recognition that such violence, including domestic violence, constitutes a violation of the human rights of women under the Convention, and the need for zero-tolerance policies. The Committee also focuses on sexual harassment in the workplace and in institutions of learning. The Committee encourages States parties to adopt legislation on domestic violence, and to ensure that violence against women is prosecuted and punished. It calls for immediate protection and redress measures for women victims of violence, including protection or restraining orders, access to legal aid, and availability of sufficient numbers of shelters for women victims of violence. The Committee further encourages States parties to ensure that public officials, especially law enforcement officials, the judiciary, health-care providers and social workers, are fully sensitized to all forms of violence against women and skilled in adequately responding to them. It calls for the implementation of awareness-raising campaigns in different media, and public education programmes. The Committee also calls for better data collection disaggregated by sex and information on the nature and scope of violence against women, inter alia, within the family. The Committee encourages implementation of special programmes to support vulnerable groups of women victims of violence, such as migrant women, older women and women belonging to ethnic minorities.

54. The Committee on the Elimination of Racial Discrimination addressed issues including the practice of female genital mutilation, domestic violence against indigenous women, trafficking of foreign women for the purpose of prostitution, and forced prostitution of girls and women belonging to minority castes. The Committee on Economic, Social and Cultural Rights considered issues including sexual exploitation of women, domestic violence, rape and sexual harassment, child pornography and sexual exploitation of women, and sexual crimes committed abroad. The Human Rights Committee addressed violence against women generally, and in particular domestic violence. The Committee on the Rights of the Child systematically addressed forms of violence against women, and in particular those suffered by girls. The Committee against Torture also referred to violence against women.

E. Activities of the organizations of the United Nations system

1. United Nations

55. Several peacekeeping missions continued to implement, or had initiated, measures to address violence against women, including the United Nations Mission in Liberia (UNMIL), the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), the United Nations Mission of Support in East Timor (UNMISET), the United Nations Assistance Mission in Afghanistan (UNAMA) and the United Nations Interim Administration Mission in Kosovo (UNMIK).

56. The UNMIL gender unit raises awareness about violence against women, and plans to train all UNMIL personnel on gender issues and gender-based violence. United Nations entities, as well as national and international non-governmental organizations, are collaborating in a working group on sexual and gender-based violence which also supports programme implementation, and undertakes awareness-raising, preventive action and training programmes. The gender office of MONUC works with local partners on initiatives to eliminate sexual violence. A strategy to address sexual violence was put in place in the Democratic Republic of the Congo in 2003, involving local and international non-governmental organizations and United Nations entities, in collaboration with the Government. The office, in collaboration with the Ministry of Women's Affairs, had also facilitated a national campaign and disseminated material on sexual violence. UNMISET supports the Government's programme on the Convention on the Elimination of All Forms of Discrimination against Women, inter alia, through a series of training workshops for government officials from various Ministries including the Office of the Promotion of Equality, district administration personnel and staff of some non-governmental organizations. The Human Rights Unit of UNMISET had conducted 25 workshops in 10 districts, and a three-day workshop directed at non-governmental organizations on gender-based discrimination and violence against women. The weekly radio programme conducted with the support of UNMISET regularly focuses on violence against women. UNAMA addresses the issue of violence against women by providing assistance to the Government and coordinating and assisting the work of United Nations organizations. Together with other United Nations entities, it provides support to the Independent Afghan Human Rights Commission in the implementation of its programmes areas, namely, monitoring and investigations, human rights education, women's rights, children's rights and transitional justice. UNMIK provided assistance to victims of violence through the Victims' Advocacy and Assistance Unit (VAAU), created in December 2001, including information regarding legal action and resources, logistic support, medical and psychosocial services, shelters, and measures aimed at preventing violence against women. Workshops directed at health and police officials have been conducted, as have awareness-raising activities. Following promulgation by UNMIK of Regulation No. 2003/12 on the "Protection against Domestic Violence", VAAU developed forms for petitions and for protection orders and distributed them to judges and prosecutors.

2. The specialized agencies and other entities

57. Several of the country offices of the United Nations Children's Fund (UNICEF) are concerned with commercial sexual exploitation of children and

women, early marriage, and female genital mutilation. They have conducted research on these and related topics, implemented workshops bringing together relevant actors, and supported implementation of national strategies. Training has also been conducted, especially to protect women and children from sexual exploitation and abuse in humanitarian crises situations, and HIV/AIDS. UNICEF also supported the drafting of legislation concerning sexual violence, child abuse and commercial sexual exploitation; and supported work to combat crimes committed in the name of honour in several countries.

58. The work of the United Nations Human Settlements Programme (UN-Habitat) on violence against women was carried out through the Safer Cities Programme. Activities have been undertaken in more than 10 cities with a focus on women's safety audits, surveys and improved participation of women in local decision-making, and a strong focus on community participation. Among the results achieved have been positive changes in the urban design of targeted neighbourhoods, and increased awareness of city officials concerning their role in combating violence against women. UN-Habitat has also collaborated with other United Nations entities, and has published several reports and studies. A second International Seminar on Women's Safety in Latin America is planned for 2004-2005, with the aim of formulating a regional strategy on violence against women and the development of a network of cities.

59. The World Health Organization (WHO) multi-country study on women's health and domestic violence against women is the first to gather data on the prevalence of violence against women and women's health that are comparable cross-country. The first results will be available later in 2004. WHO has produced guidelines for medico-legal services for victims of sexual violence which are designed to enable health-care workers to provide comprehensive care for survivors of sexual assault. WHO is hosting a new sexual violence research initiative that will promote research on sexual violence as well as build an international network of researchers, policy makers, activists and donors so as to ensure that the many aspects of sexual violence are addressed. WHO is collaborating with the United Nations Population Fund (UNFPA) and the Office of the United Nations High Commissioner for Refugees (UNHCR) to update the WHO/UNHCR document on the "Clinical management of survivors of rape" (WHO/RHR/02.08) (Geneva, 2002) for use in situations involving refugee and internally displaced people. WHO is also working with the Joint United Nations Programme on Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome (UNAIDS) on a project to increase the provision of sexual and reproductive health care in crisis settings.

V. In-depth study of the Secretary-General on all forms of violence against women

60. Following the adoption of General Assembly resolution 58/185 in which the Assembly requested the Secretary-General to submit a report, with the study as an annex, to the Assembly at its sixtieth session, the Secretariat initiated action towards its preparation at several levels. As the resolution had called for the conduct of the study from within existing available resources and, if necessary, supplemented by voluntary contributions, a determination was made that such voluntary contributions would be necessary to ensure that the study comprehensively covered all

components spelled out in the resolution. A funding proposal concerning the process for the preparation of the study was prepared, outlining the framework for the study and areas to be covered, and its scope and methodology, as well as collaborative arrangements with all relevant stakeholders. The proposal also suggested a schedule for the convening of a limited number of expert meetings and the preparation and compilation of other substantive inputs. It recommended that a project officer, to be located in the Division for the Advancement of Women, be responsible for supporting the preparatory process, including technical organization of the expert meetings and maintaining coordination and regular information exchange with contributing United Nations entities and other stakeholders. Two Governments, namely, the Government of the Netherlands and the Government of France, informed the Secretariat in June 2004 and July 2004, respectively, of the contributions they ld be making towards the overall amount of voluntary contributions sough udy.

61. The members of the Inter-Agency Network on Women and Gender Equality of the United Nations system were briefed about the mandate in a communication of 7 January 2004 that drew attention to the content of the study, and sought their full cooperation. Members were advised that preparation of the study, which would be led by the Division for the Advancement of Women of the Department of Economic and Social Affairs of the Secretariat, would proceed in close cooperation with all relevant United Nations bodies as well as the Special Rapporteur on violence against women, its causes and consequences. The extensive data, information and experience on the issue of violence against women that existed within the United Nations system would be fully drawn upon. Information would also be solicited from Member States and other stakeholders, as called for in General Assembly resolution 58/185. The study was also discussed during the annual meeting of the Inter-Agency Network in February 2004, and a number of entities expressed their interest and their readiness to contribute to the study.

62. The Special Rapporteur on violence against women, its causes and consequences, has been briefed on the study, and her cooperation and contribution have been sought. The Committee on the Elimination of Discrimination against Women at its thirty-first session was also informed about the study.

63. Efforts are now under way to identify the project officer so that preparations for expert meetings, and coordination of inputs from relevant entities of the United Nations system and other stakeholders can begin in the last quarter of 2004. The timetable originally envisaged for preparation of the study had to be adjusted on account of initial staff and resource constraints. It may therefore be necessary to reconsider the anticipated date for completion of the work so as to ensure that all relevant contributions can be appropriately sought and incorporated into the study.

VI. Conclusions and recommendations

64. **Member States continued to improve legislation on all aspects of violence against women. National action plans remain important tools for comprehensive action aimed at combating all forms of violence against women. Crimes against women committed in the name of honour, while rarely addressed through specific legislation, are being addressed through policy and awareness-raising measures. Support services for victims of violence have been**

expanded or created. To that end, Governments have worked with different stakeholders, and especially with non-governmental organizations and research institutions, to improve the quality of such services, and to support particularly vulnerable groups of women such as immigrant women. Such cooperative endeavours have also focused on prevention and public awareness-raising and the conduct of training and capacity-building. Furthermore, they have contributed to an expansion of the knowledge base on the causes and consequences of violence against women, and helped in determining the effectiveness and impact of preventive and remedial measures. Increasingly, perpetrators of violence against women are becoming a focus of attention. While some efforts have been made to enhance data collection regarding violence against women, this remains an area where little information has been provided and significant gaps in methodology and data collection continue to persist.

65. **Based on progress made so far, Governments should accelerate the preparation of comprehensive legislative frameworks to criminalize all forms of violence against women, put in place adequate penalties for perpetrators, and ensure that violence against women is prosecuted and punished. Crimes against women committed in the name of honour, where reported, must likewise be criminalized and speedily prosecuted. Women victims of violence, or women who are at risk of repeated acts of violence in the home, should have immediate means of redress and protection, including protection or restraining orders, access to legal aid, and shelters staffed with personnel who are sensitive to victims' needs. Priority attention must be given to ensuring that implementation of legislation and of policies and programmes is adequately funded throughout the territory of a State. Further efforts are needed to monitor and assess the effectiveness and impact of actions taken and how legislation, policies and programmes contribute to the achievement of defined objectives. Continued efforts are also needed to raise awareness about all forms of violence against women as a violation of the human rights of women and as a form of gender-based discrimination. Support should be provided for anti-violence networks and partnerships should be encouraged between governmental and non-governmental actors working for legislative and attitudinal change that no longer condones or accepts violence against women. Significant additional efforts are needed to improve data collection in all areas of violence against women.**

Notes

[1] Argentina, Austria, Azerbaijan, Bangladesh, China, Colombia, Costa Rica, Denmark, Finland, Germany, Iceland, Ireland, Italy, Jordan, Kuwait, Malaysia, Malta, Mexico, Morocco, Norway, Paraguay, Portugal, Republic of Korea, Russian Federation, Syrian Arab Republic and Ukraine.

[2] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

[3] General Assembly resolution S-23/2, annex, and resolution S-23/3, annex.

[4] Argentina, Austria, Azerbaijan, Bangladesh, Colombia, Denmark, Finland, Ireland, Jordan, Kuwait, Malaysia, Malta, Mexico, Morocco, Myanmar, Netherlands, Norway, Portugal, Republic of Korea, Saudi Arabia, Sweden, Syrian Arab Republic and United Kingdom of Great Britain and Northern Ireland.

[5] See *Official Records of the Economic and Social Council, 2003, Supplement No. 7* (E/2003/27), annex II; for a summary submitted by the moderator of the panel discussion on the topic.

[6] Ibid., *2004, Supplement No. 7* (E/2004/27), chap. I, sect. C, resolution 48/3.

[7] Ibid., *2003, Supplement No. 3* (E/2003/23), chap. II, sect. A; and ibid., *2004, Supplement No. 3* (E/2004/23), chap. II, sect. A.

[8] The International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, adopted by the General Assembly in its resolution 45/158 of 18 December 1990, entered into force on 1 July 2003; and the Committee on the Protection of the Rights of All Migrant Workers and Members of their Families held its first session from 1 to 5 March 2004.

[9] See *Official Records of the General Assembly, Forty-seventh session, Supplement No. 38* (A/47/38), chap. I.

[10] Ibid., *Fifty-eighth session, Supplement No. 38* (A/58/38); and ibid., *Fifty-ninth session, Supplement No. 38* (A/59/38).